

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

| | | |
|--------------------------|---|------------|
| CHARLES E. EASTHAM, |) | |
| |) | |
| Plaintiff, |) | 4:07CV3115 |
| |) | |
| v. |) | |
| |) | |
| BURLINGTON NORTHERN |) | ORDER |
| SANTA FE RAILROAD |) | |
| COMPANY, The, a Delaware |) | |
| corporation, |) | |
| |) | |
| Defendant. |) | |

This matter is before the court upon Plaintiff's motion for leave to submit a supplemental brief ([filing 65](#)). Because Defendant's position that the statute of limitations has run on any claim that Plaintiff suffers from an injury as a result of manganese exposure or toxicity is not inconsistent with the opinion of Defendant's doctors that Plaintiff does not in fact have the injury alleged in the complaint,

IT IS ORDERED that Plaintiff's motion for leave to submit a supplemental brief ([filing 65](#)) is denied.

June 18, 2008.

BY THE COURT:

s/Richard G. Kopf
United States District Judge